

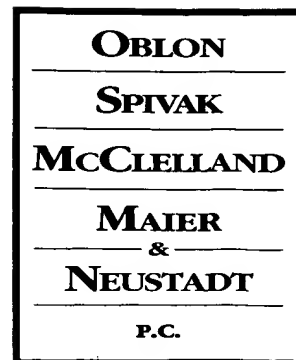


Docket No.: 203391US6

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

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ATTORNEYS AT LAW

BRADLEY D. LYTLE  
(703) 412-6489  
BLYTLE@OBLON.COM

RAYMOND F. CARDILLO, JR.  
(703) 413-3000  
RCARDILLO@OBLON.COM

RE: Application Serial No.: 09/785,204 **Technology Center 2600**  
Applicants: Mari SAITO, et al.  
Filing Date: February 20, 2001  
For: INFORMATION PROCESSING APPARATUS AND  
METHOD AND PROGRAM STORAGE MEDIUM  
Group Art Unit: 2175  
Examiner: Abel-Jalil, N.

SIR:

Attached hereto for filing are the following papers:

**REQUEST FOR APPEAL REINSTATEMENT AND SUPPLEMENTAL BRIEF  
WITH APPENDICES**

Our check in the amount of \_\_\_\_\_ is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT P.C.

  
Bradley D. Lytle

Registration No. 40,073

Attorney of Record

Raymond F. Cardillo, Jr.

Registration No. 40,440

Customer Number

**22850**

(703) 413-3000 (phone)  
(703) 413-2220 (fax)

203391US6



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :  
MARI SAITO, et al. : EXAMINER: ABEL-JALIL, N.  
SERIAL NO: 09/785,204 :  
FILED: FEBRUARY 20, 2001 : GROUP ART UNIT: 2175  
FOR: INFORMATION PROCESSING :  
APPARATUS AND METHOD  
AND PROGRAM STORAGE  
MEDIUM

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Technology Center 2600

REQUEST FOR APPEAL REINSTATEMENT AND SUPPLEMENTAL BRIEF

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

This is a request for reinstatement of the appeal in the above-identified application and a supplemental brief in reply to the new ground of rejection made by the examiner in the new Action (hereinafter, NA) mailed July 29, 2004, setting a three month period for reply and stating that appellant had the option of filing a reply under 37 CFR §1.111 (as the NA was not made final) or of requesting reinstatement of the appeal. This supplemental brief in reply to the new ground of rejection raised in the NA is in compliance with 37 CFR §41.37.

I. REAL PARTY IN INTEREST

The real party in interest in this appeal is the Assignee SONY CORPORATION.

II. RELATED APPEALS AND INTERFERENCES

Appellants' legal representative and the Assignee are aware of no appeals which will directly effect or be directly effected by or have any bearing on the Board's decision in this appeal

### III. STATUS OF THE CLAIMS

Claims 1-20, the only claims in this application, stand rejected in the NA which forms the basis for this appeal. A clean copy of the rejected Claims 1-20 are attached as an appendix to this brief.

### IV. STATUS OF THE AMENDMENTS

No amendments have been filed after the NA.

### V. SUMMARY OF THE CLAIMED SUBJECT MATTER

The claimed subject matter includes an information processing apparatus and method for displaying associated information that corresponds to a present event. This apparatus includes, for example, the acquisition means, event occurrence detection means, search means and display control means recited by independent Claim 1.

In this regard, the acquisition means finds support in the accumulation block 1, shown in Fig. 1, where the accumulation block 1 is disclosed to be for acquiring associated information, here related to documents, via blocks 2-4 and prepares a document feature "past event" database via block 5 and as described relative to the steps S1-S7 of FIG. 3.

In the exemplary Fig. 1 embodiment supporting independent Claim 1, the event occurrence detection means detecting the occurrence of the present event finds support regarding the event extraction block 8. This event extraction block 8 is described in the specification at page 14, lines 17-24, for example, as detecting the end of e-mail transfer or of a selected text data quantity being exceeded during document editing.

Moreover the detecting by the event occurrence detection means is defined to be detecting the occurrence of a present event at lines 22-24 of page 14 and lines 1-2 of page 15 of the specification, for example. After the detection of this present event via exemplary block 8, a search is made of existing information (in the document feature or "past event" database). Support for the corresponding search means appears relative to the exemplary database inquiry block 9 functioning as the search means in order to find a document with features having a similarity to the information corresponding to the detected present event document as fully explained relative to the exemplary Figure 1 embodiment on page 15, lines 2-17 of the specification. Support for this means is also found at page 19, line 18-page 20, line 7 of the specification describing a similar search of URL and title information on the web by information retrieval block 6 functioning as further explained at lines 15-17 of this specification page, the associated information that corresponds to the search results obtained by exemplary database inquiry block 9 search means are supplied to an associated information presentation block 10. The claimed display control means finds support in this associated information presentation block 10 that provides a display of the associated information that is related to the existing information retrieved by the search means and is the result.

With further regard to an exemplary disclosure of corresponding steps of independent Claim 7 and program storage medium of independent Claim 8, note the flow charts of Figure 3 and Figure 5. The corresponding Figure 3 description appears at page 17, line 21 through page 21, line 8, of the specification while the corresponding Figure 5 description appears at page 21, line 9 through page 22, line 20 of the specification. The description of the program storage medium at page 48, line 1-page 49, line 3 of the specification are also relevant as to exemplary support.

Independent apparatus Claim 9 subject matter includes processing detection means, key word detection means, search means, input means, command processing means, and display control means.

Page 14, lines 17-24 and FIG. 1 also provides support for the independent Claim 9 processing detection means associated with the block 8 detection of mailer program (end of transfer) or wordprocessor program (text data quantity) processing as an event. The keyword detection means of independent Claim 9 finds exemplary support as to data base inquiry block 9 that captures a document corresponding to the detected event and determines a key word from this event document as described at page 15 lines 1-8. The database inquiry block 9 that then searches the database for the key words as described at page 15 lines 8-17 of the specification and provides exemplary support for the independent Claim 9 search means. Also note steps S12-S15 of FIG. 5 and the description thereof at page 21, line 15-page 22, line 20 of the specification.

As further explained at page 24, lines 2-16, for example, input means ("see" button) are provided. This input means can take other forms, note, for example, page 31, line 6-page

32, line 11, describing an animated display with an input window 61. These input means are used to control command processing means to execute processing on the associated information retrieved by the search means as to step S18 of FIG. 5 or step S42 of the FIG. 7 agent embodiment that corresponds thereto as explained at page 32, line 20-page 33, line 6.

With final regard to the FIG. 7 agent embodiment, display control means are provided to first bring the agent onto the display at Step S31 when the associated program is started (see page 28, lines 13-17, for example), and the manner of displaying agent changes in response to the commands inputted by the input means commands of step S41 (see page 34, lines 6-17, for example).

The support for independent method Claim 15 and independent program storage medium Claim 16 is the same as that for independent apparatus Claim 9 as these claims parallel this independent apparatus claim.

The coordination of voice signals of the Claim 11 output means is supported by Claim 11 is supported at page 29, lines 5-16, for example.

## VI. GROUND OF REJECTION TO BE REVIEWED ON APPEAL

The first ground of rejection for review is the rejection of Claims 1-4, 9-11, 14-17, and 19 under 35 U.S.C. § 102(e) as being anticipated by Shafer et al. (U.S. Patent No. 6,094,681, hereinafter Shafer). The second ground of rejection for review is the rejection of Claims 5-8, 12, 13, and 20 as being unpatentable over Shafer in view of Conley, Jr. et al. (U.S. Patent No. 6,434,745, hereinafter Conley, Jr.) .

## VII. ARGUMENT

A. The subject matter of Claim 1 is not anticipated by Shaffer

It is first noted that Shaffer simply discloses a method and system for automatically providing remote notification of an ongoing event that includes detecting the event by receiving **presently occurring** data and analyzing the content **of this presently occurring** data using a data filter of a computer.

It is well established that each word of every claim must be given weight. See In re Wilson, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970). Further, it is well established that while the PTO is to give claim language its broadest “reasonable” interpretation, this does not mean that the PTO can completely ignore the understanding that the artisan would have of the term “past” obtained in light of the specification so as to ascribe a completely different and unknown meaning to “past.” See In re Cortright, 165 F.3d 1353, 1358, 49 USPQ 2d 1464, 1467 (Fed. Cir. 1999). (“Although the PTO must give claims their broadest reasonable interpretation, this interpretation must be consistent with the one those skilled in the art would reach.”) and In re Okuzawa, 537 F.2d 545, 548, 190 USPQ 464, 466 (CCPA 1976) citing In re Royka, 490 F.2d 981, 984, 180 USPQ 580, 582-83 (CCPA 1974) (“Claims are not to be read in a vacuum, and while it is true they are given the broadest *reasonable* interpretation during prosecution, their terms still have to be given the meaning called for by the specification of which they form a part.”).

Accordingly, the PTO is called upon to explain how it can reasonably interpret the Claim 1 “acquisition means for acquiring said associated information using existing information corresponding to a **past** event” (emphasis added) on the **presently occurring** event being detected by the Shaffer data filter 16 as alleged in the NA with regard to col. 2,

lines 7-23 of Shaffer. In this regard, past events are of no interest to Shafer. As explained at col. 2 lines 43-49 of Shafer, updates, not past occurrences are the concern in terms of providing timely notification of a present event detected by the data filter. In addition, note col. 4, lines 14-20.

Clearly, anticipation of the subject matter of Claim 1 by Shaffer requires a disclosure in Shaffer of all the subject matter of Claim 1 including the “acquisition means for acquiring said associated information using existing information corresponding to a **past** event” (emphasis added). Just as clearly, the Shaffer taught acquiring of information using existing information corresponding to a **currently occurring** event cannot be said to teach this limitation, at least not giving the word “**PAST**” any reasonable interpretation.

Moreover, the reasoning permitting the Claim 1 “event occurrence detection means **for detecting the occurrence of said present event**” (emphasis added) on the transmitter that transmits an event notification message as described at col.2, lines 24-37 of Shaffer is not understood. How does the PTO interpret a transmitter to detect anything, much less that a present event has occurred?

Furthermore, Claim 1 requires a separate “search means for searching said existing information having similarity to information corresponding to the present event detected by the event occurrence detection means” and page 3 of the NA suggests that it can be reasonably said that the data filter 16 that is to do the searching of col. 2 lines 38-59 can also be read as the search means. However, the searching performed by the data filter 16 is a search for data indicating that the present event it is to detect has occurred, there is no searching for anything that can be reasonably said to be “existing information having



similarity to information corresponding to the present event detected by the event occurrence detection means.”

As anticipation of the subject matter of Claim 1 by Shaffer requires a disclosure in Shaffer of all the subject matter of Claim 1, and as this has not been shown, reversal of this rejection is believed to be in order.

**B. The subject matter of Claim 9 is not anticipated by Shaffer**

Claim 9 recites an “information processing apparatus for displaying a character on a display device and for displaying associated information related to a **text file processed by a predetermined application program**” (emphasis added) that the NA simply states is taught with no hint where this teaching can be found. Col. 4, lines 10-5(?) and col. 6 lines 56-59 that appear to be concerned with push service monitoring for updates by the data filter 16 is then erroneously said to teach the Claim 9 “processing detection means for detecting, as an event, **predetermined processing of said predetermined application program**” (emphasis added) where the application program has to process a **text file** as clearly noted above. Whatever can be said of the detection of updates of websites, it is not clear how the PTO is deriving “**predetermined processing of said predetermined application program**” that includes processing of a **text file** therefrom.

Similarly, Claim 9 requires that the “key word detection means” must detect “a key word **from said text file processed by said predetermined application program**” (emphasis added). Once again these specific words of Claim 9 appear to be ignored because col. 4, lines 11-20 and col.3, lines 48-64 teach no such detection of “a key word **from said text file processed by said predetermined application program**” (emphasis added). In this

regard, the nature of the data being searched by the data filter 16 is not disclosed to be a “text file” at either of these locations and the attempt to interpret the data filter 16 as both the “processing detection means” and the “key word detection means” is clearly improper.

Once again, as anticipation of the subject matter of Claim 9 by Shaffer requires a disclosure in Shaffer of all the subject matter of Claim 9, and as this has not been shown, reversal of this rejection is believed to be in order.

C. The subject matter of Claims 15 and 16 is not anticipated by Shaffer

Claim 15 is an independent method claim including steps that closely parallel the limitations of Claim 9. Similarly, independent program storage medium Claim 16 is a claim with steps of a computer program that closely parallel the limitations of Claim 9. Thus, these claims recite essentially the same introductory limitation as that of claim 9 requiring “displaying associated information related to a **text file processed by a predetermined application program**” (emphasis added). Col. 6 lines 13-59 of Shaffer mentioned at page 5 of the NA do not teach any “**text file processed by a predetermined application program.**” Similarly, the continued reliance on col. 4, lines 10-5(?) and col. 6 lines 56-59 that appear to be concerned with push service monitoring for updates by the data filter 16 is not understood at page 6 of the NA as these are not teachings specific to any step of “detecting, as an event, **predetermined processing of said predetermined application program**” (emphasis added) where the application program has to process a **text file** as clearly noted above. Whatever can be said of the detection of updates of websites, it is not clear how the PTO is deriving “**predetermined processing of said predetermined application program**” that includes processing of a **text file** therefrom.

Similarly, Claims 15 and 16 “detecting a key word **from said text file processed by said predetermined application program**” (emphasis added). Once again these specific words of Claims 15 and 16 appear to be ignored because col. 4, lines 11-20 and col.3, lines 48-64, noted at page 6 of the NA, teach no such detection of “a key word **from said text file processed by said predetermined application program**” (emphasis added). As noted above, the nature of the data being searched by the data filter 16 is not disclosed to be a “text file” at either of these locations and the attempt to interpret the data filter 16 as both the “processing detection means” and the “key word detection means” is clearly improper.

Once again, as anticipation of the subject matter of Claims 15 and 16 by Shaffer requires a disclosure in Shaffer of all the subject matter of Claims 15 and 16 and as this has not been shown, reversal of this rejection is believed to be in order.

D. The subject matter of Claims 2-4, 10, 17, and 19 is not anticipated by Shaffer

Each of Claims 2-4, 17, and 19 depend on Claim 1 and, thus, define over Shaffer for the same reasons Claim 1 does.

Claim 10 depends on Claim 9 and defines over Shaffer for the same reasons Claim 9 does.

D. The subject matter of Claim 11 is not anticipated by Shaffer

Claim 11 depends on Claim 9 and defines over Shaffer for the same reasons Claim 9 does. In addition, Claim 11 recites “output means for outputting a voice signal corresponding to said text information displayed by said display control means.” The NA suggests that the col. 7, lines 19-37 teaching of a paging notification message that has nothing to do with the

“text information displayed by said display control means” can be reasonably read on this limitation. This assertion is in error and this anticipation rejection should also be reversed.

E. The subject matter of Claims 7 and 8 is not obvious over Shaffer in view of Connley, Jr.

Claim 7 is an independent method claim including steps that closely parallel the limitations of Claim 9. Similarly, independent program storage medium Claim 8 is a claim with steps of a computer program that closely parallel the limitations of Claim 9. Thus, these claims recite essentially the same subject matter as Claim 9 in terms of a text file. Once again these specific “text file” words of Claims 7 and 8 appear to be ignored because col. 4, lines 11-20 and col.3, lines 48-64, noted at page 9 of the NA, teach no detection of “a key word **from a text file**.” Moreover, the later step of these claims requiring “detecting a keyword from said text file corresponding to said event detected in the event occurrence detecting step” has nothing to do with anything reasonably taught at col. 3, lines 48-64 of Shaffer that only teach generating a text message as a notification, not as a text file for any key word selection.

Moreover, the NA errs in failing to set forth any reasonable basis to even select Connley, Jr. for combination with Shaffer, much less a reasonable basis to attempt to combine the clearly disparate teachings of these references.

Finally, Connley, Jr. cures none of the deficiencies noted above as to Shaffer so that even if combined with Shaffer, for some unknown reason, the result would still not be the subject matter of these Claims.

Accordingly, this rejection of Claims 7 and 8 over these references is clearly in error and should be reversed.

E. The subject matter of Claims 5, 6, 12, 13, and 20 is not obvious over Shaffer in view of Connley, Jr.

Each of Claims 5, 6, and 20 depend on Claim 1 and, thus, define over Shaffer for the same reasons Claim 1 does. In addition, the NA errs in failing to set forth any reasonable basis to even select Connley, Jr. for combination with Shaffer, much less a reasonable basis to attempt to combine the clearly disparate teachings of these references.

Finally, Connley, Jr. cures none of the deficiencies noted above as to Shaffer so that even if combined with Shaffer, for some unknown reason, the result would still not be the subject matter of these Claims.

Accordingly, this rejection of Claims 5, 6, and 20 over these references is clearly in error and should be reversed.

Claims 12 and 13 depend on Claim 9 and defines over Shaffer for the same reasons Claim 9 does. In addition, the NA errs in failing to set forth any reasonable basis to even select Connley, Jr. for combination with Shaffer, much less a reasonable basis to attempt to combine the clearly disparate teachings of these references.

Finally, Connley, Jr. cures none of the deficiencies noted above as to Shaffer so that even if combined with Shaffer, for some unknown reason, the result would still not be the subject matter of these claims.

Accordingly, this rejection of Claims 12 and 13 over these references is clearly in error and should be reversed.

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Appeal Brief dated May 10, 2004

CONCLUSION

The rejections applied to Claims 1-20 should all be reversed as being clearly improper under the controlling precedent cited above and for the above-noted reasons.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



Bradley D. Lytle  
Attorney of Record  
Registration No. 40,073  
Raymond F. Cardillo, Jr.  
Registration No. 40,440

Customer Number

**22850**

Tel. (703) 413-3000  
Fax. (703) 413-2220  
(OSMMN 10/01)

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## VII. CLAIMS APPENDIX

1. An information processing apparatus displaying associated information corresponding to a present event, comprising:

acquisition means for acquiring said associated information using existing information corresponding to a past event;

event occurrence detection means for detecting the occurrence of said present event;

search means for searching said existing information having similarity to information corresponding to the present event detected by the event occurrence detection means; and

display control means for controlling displaying of said associated information related to the existing information retrieved by said search means.

2. The information processing apparatus according to claim 1, wherein said event occurrence detection means detects sending, receiving, or editing of an electronic mail as said event.

3. The information processing apparatus according to claim 19, wherein said acquisition means acquires a title and a URL of a Web page containing said important word as the associated information.

4. The information processing apparatus according to claim 19, wherein said acquisition means acquires, in a predetermined timed relation, said associated information related to said important word selected by said selection means.

5. The information processing apparatus according to claim 20, further comprising:  
if an update condition is satisfied, update means for updating said database  
constructed by said database construction means.

6. The information processing apparatus according to claim 5, wherein said update  
condition can be set by a user.

7. An information processing method for an information processing apparatus for  
detecting a key word from a text file corresponding to an event that has taken place and  
displaying associated information corresponding to said key word, comprising the steps of:

- extracting attribute information from an existing text file;
- selecting an important word from among words contained in said existing text file;
- acquiring said associated information related to said important word selected in the  
selecting step;
- constructing a database by use of at least one of said attribute information extracted in  
the extraction step and said associated information acquired in the acquiring step;
- detecting the occurrence of said event;
- detecting a key word from said text file corresponding to said event detected in the  
event occurrence detecting step;



searching said database constructed in the database constructing step for said associated information corresponding to said key word detected in the key word detecting step; and

controlling displaying of said associated information retrieved in the searching step.

8. A program storage medium storing a computer-readable program for detecting a key word from a text file corresponding to an event that has taken place and displaying associated information related to said key word, comprising the steps of:

extracting attribute information from an existing text file;

selecting an important word from among words contained in said existing text file;

acquiring said associated information related to said important word selected in the selecting step;

constructing a database by use of at least one of said attribute information extracted in the extraction step and said associated information acquired in the acquiring step;

detecting the occurrence of said event;

detecting a key word from said text file corresponding to said event detected in the event occurrence detecting step;

searching said database constructed in the database constructing step for said associated information corresponding to said key word detected in the key word detecting step; and

controlling displaying of said associated information retrieved in the searching step.

9. An information processing apparatus for displaying a character on a display device and for displaying associated information related to a text file processed by a predetermined application program, comprising:

processing detection means for detecting, as an event, predetermined processing of said predetermined application program;

key word detection means for detecting a key word from said text file processed by said predetermined application program corresponding to said event detected by said processing detection means;

search means for searching a database for said associated information by searching a data base for a previous processed existing file corresponding to said key word detected by said keyword detection means;

input means for inputting a command;

command processing means for executing, in response to said command inputted by said input means, processing on said associated information retrieved by said search means; and

display control means for displaying, in response to said event detected by said processing detection means, said character onto said display device and changing a manner of displaying said character in response to said command inputted by said input means.

10. The information processing apparatus according to claim 9, wherein said display control means also displays text information as a script of said character.

11. The information processing apparatus according to claim 10, further comprising output means for outputting a voice signal corresponding to said text information displayed by said display control means.

12. The information processing apparatus according to claim 9, wherein said command processing means displays, on said display device, said associated information retrieved by said search means in an object form with respect to at least one of movement, storage, and deletion, in response to a display command inputted by said input means.

13. The information processing apparatus according to claim 12, wherein said command processing means stores said associated information in response to a storage command inputted by said input means and displays a list of the stored associated information onto said display device.

14. The information processing apparatus according to claim 9, wherein said associated information is a URL of a Web page and said command processing means starts a WWW browser so as to access said URL of said Web page as said associated information in response to an access command inputted by said input means.

15. An information processing method for an information processing apparatus for displaying a character on a display device and for displaying associated information related to a text file processed by a predetermined application program, comprising the steps of:

detecting, as an event, predetermined processing of said predetermined application program;

detecting a key word from said text file processed by said predetermined application program corresponding to said event detected in the processing detecting step;

searching for said associated information by searching for a previously processed existing file corresponding to said key word detected in the key word detecting step;

inputting a command;

executing, in response to said command inputted in the inputting step, processing on said associated information retrieved in the searching step; and

displaying, in response to said event detected in the processing of said detecting step, said character onto said display device and changing a manner of displaying said character in response to said command inputted in the inputting step.

16. A program storage medium storing a computer-readable program for displaying a character on a display device and for displaying associated information related to a text file processed by a predetermined application program, comprising the steps of:

detecting, as an event, predetermined processing of said predetermined application program;

detecting a key word from said text file processed by said predetermined application program corresponding to said event detected in the processing detecting step;

searching for said associated information by searching a database for a previously processed existing file corresponding to said key word detected in the key word detecting step;

executing, in response to a command inputted, processing on said associated information retrieved in the searching step; and

displaying, in response to said event detected in the processing of said detecting step, said character onto said display device and changing a manner of displaying said character in response to said command inputted.

17. An information processing apparatus according to Claim 1, further comprising:  
grouping means for grouping said existing information into a group of existing information based upon attribute information of said existing information,

wherein said acquisition means acquires the associated information related to said group of existing information made by said grouping means as said existing information,

said search means searches for said group of existing information as said existing information having similarity to information corresponding to the present event detected by the event occurrence detection means, and

the display control means controls displaying of said associated information related to said group of existing information as said existing information retrieved by said search means.

18. An information processing apparatus according to Claim 17, further comprising:

weight calculation means for calculating weight of key words contained in each said group of existing information,

selection means for selecting an important word among said key words based upon said weight of key words,

wherein said acquisition means acquires said associated information related to said group of existing information using said important word selected by said selection means.

19. The information processing apparatus according to Claim 1, wherein said existing information corresponding to said past event is an existing text file and said information corresponding to said present event detected by the event occurrence detection means is a text file, further comprising,

selection means for selecting an important word from among words contained in said existing text file,

wherein the acquisition means acquires said associated information by using said important word selected by said selection means as said existing information.

20. An information processing apparatus according to claim 1, further comprising: extraction mean for extracting attribute information from the existing information; and

database construction means for constructing a database by use of at least one of said attribute information extracted by said extraction means and said associated information acquired by said acquisition means.

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**IX. EVIDENCE APPENDIX**

None

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**X. RELATED PROCEEDINGS APPENDIX**

None